

NOTICE OF FILING**Details of Filing**

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment: 2/02/2023 5:02:19 PM AEDT
Date Accepted for Filing: 2/02/2023 5:02:24 PM AEDT
File Number: NSD616/2021
File Title: WESTPAC BANKING CORPORATION ABN 33 007 457 141 & ANOR v
FORUM FINANCE PTY LIMITED (IN LIQUIDATION) ACN 153 301 172 &
ORS
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Form 59
Rule 29.02(1)

Affidavit

No. NSD616/2021

Federal Court of Australia
District Registry: New South Wales
Division: General

Westpac Banking Corporation ABN 33 007 457 141 and another named in the Schedule
Applicants

Forum Finance Pty Limited ACN 153 301 172 others named in the Schedule
Respondents

Affidavit of: Kate Anne Cockburn
Address: Level 40, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000
Occupation: Solicitor
Date: 31 January 2023

Contents

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1.	Affidavit of Kate Anne Cockburn affirmed on 31 January 2023	1	2
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I, Kate Anne Cockburn of Level 40, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000, Solicitor, affirm:

- I am a solicitor employed by MinterEllison, the solicitors for the applicants, Westpac Banking Corporation and Westpac New Zealand Limited (together **Westpac**). I am duly authorised to make this affidavit on behalf of Westpac. Since June 2021, under the supervision of Caitlin Murray, Partner of MinterEllison and solicitor on the record for Westpac, I have been involved in the day to day running of the proceeding.
- I make this affidavit on the basis of my own personal knowledge and from my review of MinterEllison's files kept on behalf of Westpac in connection with the proceeding. In making this affidavit I am not authorised to waive any claim for legal professional privilege Westpac may have in relation to documents located within the MinterEllison file.
- Exhibited to me at the time of affirming this affidavit is a bundle of documents marked Exhibit KAC-1 (**Exhibit**). In this affidavit, I refer to documents in the Exhibit by reference to their page number.

Filed on behalf of (name & role of party)	Westpac Banking Corporation and Westpac New Zealand Limited, applicants		
Prepared by (name of person/lawyer)	Caitlin Murray		
Law firm (if applicable)	MinterEllison		
Tel (02) 9921 8888		Fax	02 9921 8123
Email	caitlin.murray@minterellison.com		
Address for service (include state and postcode)	Governor Macquarie Tower, 1 Farrer Place, SYDNEY NSW 2000 Our reference: CMM:AGS:1353397		

ME_197505090_4

Version 3 form approved 02/05/2019

Kate Anne Cockburn

4. On 7 December 2021 and 10 March 2022, Lee J made orders in the proceeding in relation to the service of corporate entities registered, among other locations, in the United Kingdom (**Service Orders**). Under the supervision of Ms Murray, I took steps to serve the respondents registered in the United Kingdom in accordance with the Service Orders.

Service on lugis (UK) Limited

5. lugis (UK) Limited (Company Number 10745974) is the thirty-second respondent in the proceeding. On 7 December 2021, Westpac was granted leave to serve the Fourth Further Amended Originating Application dated 5 November 2021 (**Originating Application**), and the Second Further Amended Statement of Claim dated 5 November 2021 (**Statement of Claim**) on lugis (UK) Limited in the United Kingdom by international registered post.
6. On 21 April 2022, I undertook the following steps:
- (a) I prepared a letter addressed to the Proper Officer of lugis (UK) Limited at 64 New Cavendish Street, London, United Kingdom, W1G 8TB on MinterEllison letterhead (**First lugis (UK) Limited Letter**) that enclosed the:
- (i) Orders of Lee J of the Federal Court of Australia dated 7 December 2021 (**7 December 2021 Orders**);
- (ii) Originating Application; and
- (iii) Statement of Claim,
(together, the **Court Documents**);
- (b) with the authority of Ms Murray, I electronically signed the First lugis (UK) Limited Letter and caused it to be printed. I also caused to be printed a hole punched copy of each of the Court Documents;
- (c) I placed the Court Documents into a lever-arch folder and clipped the First lugis (UK) Limited Letter to the cover of the folder (**First lugis (UK) Limited Folder**); and
- (d) I instructed the MinterEllison Business Enablement Centre to organise for the MinterEllison courier desk to prepare an international postage label addressed to the thirty-second respondent, lugis (UK) Limited, at 64 New Cavendish Street, W1G 8TB London UNITED KINGDOM. The MinterEllison courier desk booked a courier with DHL and this postage label had reference code JD01 4600 0097 4972 1410 (**First lugis (UK) Limited Postage Label**).
7. A copy of the First lugis (UK) Limited Letter is at page 1 of my Exhibit.
8. The First lugis (UK) Limited Postage Label was allocated waybill number 43 333 46032. A copy of the postage label with the waybill reference 43 3334 6032 is at pages 2 to 3 of my Exhibit.
9. On 22 April 2022, I:
- (a) placed the First lugis (UK) Limited Folder, with cover letter, into a satchel with a label that I prepared addressed to the Proper Officer of lugis (UK) Limited at 64 New Cavendish Street, London, United Kingdom, W1G 8TB, and sealed the satchel (**First lugis (UK) Limited Satchel**);
- (b) attended the courier desk at level 39 of MinterEllison's office in Governor Macquarie Tower in Sydney (**MinterEllison Courier Desk**);
- (c) collected the First lugis (UK) Limited Postage Label;
- (d) placed the First lugis (UK) Limited Postage Label onto the First lugis (UK) Limited Satchel; and

- (e) handed the First lugis (UK) Limited Satchel to a DHL courier who attended the MinterEllison Courier Desk.
10. On 17 May 2022, MinterEllison received confirmation that the shipment with waybill 43 3334 6032 had been delivered on 28 April 2022. A copy of the delivery receipt received by MinterEllison is at page 4 of my Exhibit.
11. Sometime after 22 April 2022, but before 29 April 2022, I conducted a search of lugis (UK) Limited on www.gov.uk and located:
- (a) a change of registered office address form (AD01 form) that changed the registered office address of lugis (UK) Limited to Suite 3 Regency House 91 Western Road Brighton BN1 2NW; and
- (b) a notice of appointment of liquidator in a winding-up by the court form (WU04 form) which appointed John Noon and Robert Andrew Croxen as liquidators of lugis UK and listed their contact address as INS-IUGUKL@alvarezandmarsal.com.
12. Copies of both the AD01 and WU04 forms are at pages 5 to 9 of my Exhibit.
13. On 29 April 2022, I undertook the following steps:
- (a) I prepared a further letter to the Proper Officer of lugis (UK) Limited at Suite 3, Regency House, 91 Western Road, Brighton BN1 2NW on MinterEllison letterhead (**Second lugis (UK) Limited Letter**) that enclosed the Court Documents;
- (b) with the authority of Ms Murray, I electronically signed the Second lugis (UK) Limited Letter and caused it to be printed. I also caused to be printed a hole punched copy of each of the Court Documents;
- (c) I placed the Court Documents into a lever-arch folder and clipped the First lugis (UK) Limited Letter to its cover (**Second lugis (UK) Limited Folder**);
- (d) I placed the Second lugis (UK) Limited Folder, with cover letter, into a satchel with a label that I prepared addressed to lugis (UK) Limited at Suite 3, Regency House, 91 Western Road, Brighton BN1 2NW (**Second lugis (UK) Limited Satchel**), and sealed the satchel; and
- (e) I instructed the MinterEllison Business Enablement Centre to organise for the MinterEllison courier desk to prepare an international postage label addressed to the thirty-second respondent, lugis (UK) Limited at 91 Western Road, Suite 3, Regency House, BN1 2NW Brighton East Sussex UNITED KINGDOM. The MinterEllison courier desk booked a courier with DHL and this postage label had reference code JD01 4600 0098 1119 0240 (**Second lugis (UK) Postage Label**).
14. A copy of the Second lugis (UK) Limited Letter is at page 10 of my Exhibit.
15. The Second lugis (UK) Limited Postage Label was allocated waybill number 82 4331 8823. A copy of the postage label with the waybill reference 82 4331 8823 is at pages 11 to 12 of my Exhibit.
16. On 4 May 2022, I:
- (a) attended the MinterEllison Courier Desk;
- (b) collected the Second lugis (UK) Limited Postage Label;
- (c) placed the Second lugis (UK) Limited Postage Label onto the Second lugis (UK) Limited Satchel; and

Schedule

No. NSD616 of 2021

Federal Court of Australia
 District Registry: New South Wales
 Division: General

Applicants

First Applicant: Westpac Banking Corporation ABN 33 007 457 141
 Second Applicant: Westpac New Zealand Limited (company registration
 number 1763882)

Respondents

First Respondent: Forum Finance Pty Limited (in liquidation) (receivers appointed)
 ACN 153 301 172

Second Respondent: Basile Papadimitriou

Third Respondent: Vincenzo Frank Tesoriero

Fourth Respondent: Forum Group Financial Services Pty Ltd (in liquidation)
 ACN 623 033 705

Fifth Respondent: Forum Group Pty Ltd (Receivers Appointed) (in liquidation)
 ACN 153 336 997

Sixth Respondent: Forum Enviro Pty Ltd (in liquidation) ACN 168 709 840

Seventh Respondent: Forum Enviro (Aust) Pty Ltd (in liquidation) ACN 607 484 364

Eighth Respondent: 64-66 Berkeley St Hawthorn Pty Ltd ACN 643 838 662

Ninth Respondent: 14 James Street Pty Ltd (in liquidation) ACN 638 449 206

Tenth Respondent: 26 Edmonstone Road Pty Ltd (in liquidation) ACN 622 944 129

Eleventh Respondent: 5 Bulkara Street Pty Ltd (in liquidation) ACN 630 982 160

Twelfth Respondent: 6 Bulkara Street Pty Ltd (in liquidation) ACN 639 734 473

Thirteenth Respondent: 23 Margaret Street Pty Ltd ACN 623 715 373

Fourteenth Respondent: 1160 Glen Huntly Road Pty Ltd ACN 639 447 984

Fifteenth Respondent: 14 Kirwin Road Morwell Pty Ltd ACN 641 402 093

Sixteenth Respondent: Canner Investments Pty Ltd ACN 624 176 049

Seventeenth Respondent: 123 High Street Taradale Pty Ltd ACN 639 872 512

Eighteenth Respondent: 160 Murray Valley Hwy Lake Boga Pty Ltd ACN641 392 921

Nineteenth Respondent: 31 Ellerman Street Dimboola Pty Ltd ACN 641 392 887

Twentieth Respondent: 4 Cowslip Street Violet Town Pty Ltd ACN 639 872 352

Twenty-First Respondent: 55 Nolan Street Maryborough Pty Ltd ACN 641 392 912

Twenty-Second Respondent: 89 Betka Road Mallacoota Pty Ltd ACN 641 393 179

Twenty-Third Respondent: 9 Gregory Street Ouyen Pty Ltd ACN 641 392 707

Twenty-Fourth Respondent: 9 Main Street Derrinallum Pty Ltd ACN 639 872 736

Twenty-Fifth Respondent: 286 Carlisle Street Pty Limited ACN 610 042 343

Twenty-Sixth Respondent: 275 High Street Golden Square Pty Ltd ACN 639 870 545

Twenty-Seventh Respondent: Mazcon Investments Hellas IKE

Twenty-Eighth Respondent: Palante Pty Ltd (in liquidation) ACN 135 344 151

Twenty-Ninth Respondent	Anastasios Giamouridis
Thirtieth Respondent	The Forum Group of Companies Pty Ltd (in liquidation) ACN 151 964 626
Thirty-First Respondent	Iugis Pty Ltd (in liquidation) ACN 632 882 243
Thirty-Second Respondent	Iugis (UK) Limited (Company Number 10745974)
Thirty-Third Respondent	Iugis Holdings Limited (Company Number 11123437)
Thirty-Fourth Respondent	Iugis Global Financial Services Limited (Company Number 11785331)
Thirty-Fifth Respondent	Iugis Finance Limited (Company Number 11124046)
Thirty-Sixth Respondent	Spartan Consulting Group Pty Ltd (in liquidation) ACN 168 989 544
Thirty-Seventh Respondent	Intrashield Pty Ltd (in liquidation) ACN 133 426 534
Thirty-Eighth Respondent	Tesoriero Investment Group Pty Ltd ACN 161 088 115
Thirty-Ninth Respondent	Mangusta (Vic) Pty Ltd ACN 631 520 682
Fortieth Respondent	193 Carlisle Street Enterprises Pty Ltd ACN 612 615 237
Forty-First Respondent	8-12 Natalia Ave Oakleigh Pty Ltd ACN 643 838 626
Forty-Second Respondent	Iugis Hellas IKE
Forty-Third Respondent	Iugis Energy SA
Forty-Fourth Respondent	Eric Constantinidis
Forty-Fifth Respondent	Giovanni (John) Tesoriero
Forty-Sixth Respondent	Moussa (Tony) Bouchahine
Forty-Seventh Respondent	Louisa Maria Agostino
Forty-Eighth Respondent	D&D Group O.E
Forty-Ninth Respondent	Aromatika Fyta Tsai Olympou Theion Ike

Exhibit certificate

No. NSD 616 of 2021

Federal Court of Australia

District Registry: Sydney

Division: General

Westpac Banking Corporation ABN 33 007 457 141

Applicant

Forum Finance Pty Limited ACN 153 301 172 and another

Respondents

This is the exhibit marked '**KAC-1**' now produced and shown to Kate Cockburn at the time of affirming her affidavit on 31 January 2023 before me



Serena Johnson,
Solicitor

Filed on behalf of (name & role of party)	Westpac Banking Corporation, Applicant		
Prepared by (name of person/lawyer)	Caitlin Murray		
Law firm (if applicable)	MinterEllison		
Tel (02) 9921 4279		Tel	(02) 9921 4279
Email	caitlin.murray@minterellison.com		
Address for service	Governor Macquarie Tower, 1 Farrer Place, SYDNEY NSW 2000		
(include state and postcode)	Our reference: 1353397		

MinterEllison

22 April 2022

BY INTERNATIONAL REGISTERED POST

The Proper Officer
Iugis (UK) Limited
64 New Cavendish Street
London W1G 8TB
United Kingdom

Dear Sir / Madam

Westpac Banking Corporation & anor v Forum Finance Pty Ltd (in liquidation) & ors - Federal Court of Australia Proceedings No. NSD616/2021

We represent the Applicants in the above mentioned proceedings in which Iugis (UK) Limited is named as a respondent.

Please find **enclosed** by way of service:

1. Orders of Lee J of the Federal Court of Australia dated 7 December 2021;
2. the Applicants' Fourth Further Amended Originating Application; and
3. the Applicants' Second Further Amended Statement of Claim.

Yours faithfully
MinterEllison



Contact: Kate Cockburn T: +61 2 9921 4304
kate.cockburn@minterellison.com
Partner: Caitlin Murray T: +61 2 9921 4279
OUR REF: AGS:CMM 1353397

enc.

EXPRESS WORLDWIDE **DOX** **DHL**

2022-04-22 MyDHL API 1.0 / *GLS certified label*

From : MINTER ELLISON (SYDNEY)
Courier Desk
L39, GOVERNOR MACQUARIE TOWER
1 FARRER PLACE
2000 SYDNEY
AUSTRALIA

Origin:
SYD

To : Iugis (UK) Limited Contact:
Reception
64 New Cavendish Street
W1G 8TB London
UNITED KINGDOM

GB-LON-LM2

Day Time

Ref No: 1066185, CMC38116
Content : Legal Documents

Pce/Shpt Weight Piece
2.0 kg 1 / 1



WAYBILL 43 3334 6032



(2L)GBW1G8TB+42000000

Ref Code:



(J) JD01 4600 0097 4972 1410

WAYBILL DOC

Not to be attached to package - Hand to Courier
2022-04-22 MyDHL API 1.0 / GLS certified label

**Shipper :**

MINTER ELLISON (SYDNEY)
Courier Desk
L39, GOVERNOR MACQUARIE TOWER
1 FARRER PLACE
2000 SYDNEY
AUSTRALIA

Contact:
0299214430

Receiver :

Iugis (UK) Limited
Reception
64 New Cavendish Street
W1G 8TB London
UNITED KINGDOM

Contact:
0421169706

AU-SYD-SSE GB-LON-LM2

Product Details:

Features / Services (Service Code)

[D] EXPRESS WORLDWIDE (42)

Shipment Details

Ref No: 1066185, CMC38116

Content: Legal Documents

Cust Decl Shpt Wgt (UOM) / Dim Wgt (UOM):

2.0 kg

Pieces

1

Name (in Capital Letters)

Signature

Date (DD.MM.YYYY)



WAYBILL 43 3334 6032

License Plates of pieces in shipment
JD014600009749721410



17 May 2022

Dear Customer,

This is a proof of delivery / statement of final status for the shipment with waybill number 4333346032.

Thank you for choosing DHL Express.

www.dhl.com

Your shipment 4333346032 was delivered on 28 April 2022 at 14.49

Signed	ABBIE REC.	Destination Service Area	LONDON UNITED KINGDOM
		Shipment Status	Delivered
		Piece ID(s)	JD014600009749721410

Additional Shipment Details

Service	EXPRESS WORLDWIDE doc	Origin Service Area	SYDNEY AUSTRALIA
Picked Up	22 April 2022 at 12.51	Shipper Reference	4333346032AU20220422012818906 1066185, CMC38116

In accordance with
Section 87 of the
Companies Act 2006.

AD01

Change of registered office address

What this form is for

You may use this form to change a company's registered office address.

What this form is NOT for

You cannot use this form to change the registered office address of a Limited Liability Partnership (LLP). To do this, please use form LL AD01's Change of registered office address of a limited liability partnership (LLP).

1 Company details

Company number 1 0 7 4 5 9 7 4

Company name in full Iugis (UK) Limited

→ Filling in this form

Please complete in typescript or in bold black capitals.

2 New registered office address

The change in registered office address does not take effect until the Registrar has registered this notice.

A person may validly serve any document on the company at its previous registered office for 14 days from the date that a change of registered office is registered.

Building name/number Suite 3 Regency House

Street 91 Western Road

Post town Brighton

County/Region

Postcode B N 1 2 N W

3 Signature

I am signing this form on behalf of the company.

Signature

Signature

This form may be signed by:

Director, Secretary, Person Authorised, Liquidator, Administrator, Administrative receiver, Receiver, Receiver manager, Charity commission receiver and manager, CIC manager, Judicial factor.

AD01
Change of registered office address

Presenter Information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name

Douglas Kay

Company name

Alvarez & Marsal Europe LLP

Address

Suite 3 Regency House, 91 Western
 Road, Brighton, BN1 2NW

DX

Telephone

+44 (0) 20 7715 5200

Checklist

We may return forms completed incorrectly or with information missing

Please make sure you have remembered the following:

- The company name and number match the information held on the public Register.
- You have provided the new registered office address in section 2.
- The registered office is in the location where the company was registered e.g. England and Wales, Scotland, or Northern Ireland.
- You have signed the form.

Important Information

Please note that all information on this form will appear on the public record.

Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the appropriate address below:

For companies registered in England and Wales:

The Registrar of Companies, Companies House,
 Crown Way, Cardiff, Wales, CF14 3UZ.
 DX 33050 Cardiff.

For companies registered in Scotland:

The Registrar of Companies, Companies House,
 Fourth Floor, Edinburgh Quay2,
 139 Fountainbridge, Edinburgh, Scotland, EH3 9FF
 DX ED235 Edinburgh 1
 Or LP – 4 Edinburgh 2 (Legal Post)

For companies registered in Northern Ireland:

The Registrar of Companies, Companies House,
 First Floor, Waterfront Plaza, 8 Laganbank Road,
 Belfast, Northern Ireland, BT1 3BS
 DX 481 N.R. Belfast 1.

Further information

For further information see the guidance notes on the website at www.companieshouse.gov.uk or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.companieshouse.gov.uk

In accordance with
Rule 7.59 of the
Insolvency (England &
Wales) Rules 2016

WU04

Notice of appointment of liquidator in a winding-up by the court



Companies House

For further information, please refer to
our guidance at
www.gov.uk/companieshouse

1		Company details	
Company number	1	0	7
	4	5	9
	7	4	
Company name in full	lugis (UK) Limited		
	→ Filling in this form Please complete in typescript or in bold black capitals.		
2		Liquidator's name	
Full forename(s)	John		
Surname	Noon		
3		Liquidator's address	
Building name/number	Suite 3 Regency House		
Street	91 Western Road		
Post town	Brighton		
County/Region			
Postcode	B	N	1
		2	N
			W
Country			
4		Liquidator's email address or telephone number ^③	
Email address	INS-IUGUKL@alvarezandmarsal.com		
Telephone number	+44 (0) 20 7715 5200		
	③ You must give an email address or telephone number. All information on this form will appear on the public record.		
5		Liquidator's name ^①	
Full forename(s)	Robert Andrew		
Surname	Croxen		
	① Other Liquidator's details Use this section to tell us about another liquidator.		

WU04

Notice of appointment of liquidator in a winding-up by the court

6		Liquidator's address ²	
Building name/number	Suite 3 Regency House		2 Other Liquidator's details Use this section to tell us about another liquidator.
Street	91 Western Road		
Post town	Brighton		
County/Region			
Postcode	B N 1 2 N W		
Country			
7		Liquidator's email address or telephone number ³	
Email address	INS-IUGUKL@alvarezandmarsal.com		3 You must give an email address or telephone number. All information on this form will appear on the public record.
Telephone number	+44 (0) 20 7715 5200		
8		Statement of appointment	
I confirm the appointment of the liquidator on			
Date	^d 0	^d 5	^m 0
			^m 1
			^y 2
			^y 0
			^y 2
			^y 2
9		Name of the person, body or court making the appointment	
Person, body or court	Secretary of State		
10		Sign and date	
Liquidator's signature	Signature		
	X		X
Signature date	^d 0	^d 6	^m 0
			^m 1
			^y 2
			^y 0
			^y 2
			^y 2

WU04

Notice of appointment of liquidator in a winding-up by the court

**Presenter information**

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name **Douglas Kay**

Company name **Alvarez & Marsal Europe LLP**

Address **Suite 3 Regency House
91 Western Road**

Post town **Brighton**

County/Region

Postcode **B N 1 2 N W**

Country

DX

Telephone **+44 (0) 20 7715 5200**

**Checklist**

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- The company name and number match the information held on the public Register.
- You have signed and dated the form.

**Important information**

All information on this form will appear on the public record.

**Where to send**

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.

**Further information**

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

MinterEllison.

3 May 2022

BY INTERNATIONAL REGISTERED POST

The Proper Officer
Iugis (UK) Limited
Suite 3, Regency House
91 Western Road
Brighton BN1 2NW

Dear Sir / Madam

Westpac Banking Corporation & anor v Forum Finance Pty Ltd (in liquidation) & ors - Federal Court of Australia Proceedings No. NSD616/2021

We represent the Applicants in the above mentioned proceedings in which Iugis (UK) Limited is named as a respondent.

Please find **enclosed** by way of service:

1. Orders of Lee J of the Federal Court of Australia dated 7 December 2021;
2. the Applicants' Fourth Further Amended Originating Application; and
3. the Applicants' Second Further Amended Statement of Claim.

Yours faithfully
MinterEllison



Contact: Kate Cockburn T: +61 2 9921 4304
kate.cockburn@minterellison.com
Partner: Caitlin Murray T: +61 2 9921 4279
OUR REF: AGS:CMM 1353397

enc.

EXPRESS WORLDWIDE DOX 

2022-05-04 MyDHL API 1.0 / "GLS certified label"

From : MINTER ELLISON (SYDNEY)
Courier Desk
L39, GOVERNOR MACQUARIE TOWER
1 FARRER PLACE
2000 SYDNEY
AUSTRALIA

Origin:
SYD

To : Iugis (UK) Limited Contact:
Proper Officer
91 Western Road
Suite 3, Regency House
BN1 2NW Brighton East Sussex
UNITED KINGDOM

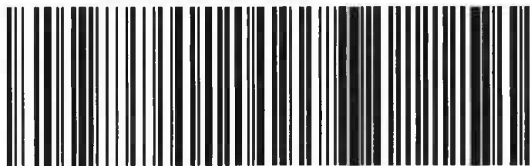
LHP1 GB-LGW-LGW

Day Time

Ref No: 1066185, CMC38650 Pce/Shpt Weight Piece
1.7 kg 1 / 1
Content : Legal Documents



WAYBILL 82 4331 8823



(2L)GBBN12NW+42000000

Ref Code:



(J) JD01 4600 0098 1119 0240

WAYBILL DOC

Not to be attached to package - Hand to Courier
2022-05-04 MyDHL API 1.0 / GLS certified label



Shipper :

MINTER ELLISON (SYDNEY)
Courier Desk
L39, GOVERNOR MACQUARIE TOWER
1 FARRER PLACE
2000 SYDNEY
AUSTRALIA

Contact:
0299214430

Receiver :

Iugis (UK) Limited
Proper Officer
91 Western Road
Suite 3, Regency House
BN1 2NW Brighton East Sussex
UNITED KINGDOM

Contact:
61421169706
michael.wallin@minterellison.com

LHP1AU-SYD-SSE GB-LGW-LGW

Product Details:

Features / Services (Service Code)

[D] EXPRESS WORLDWIDE (42)

Shipment Details

Ref No: 1066185, CMC38650

Content: Legal Documents

Cust Decl Shpt Wgt (UOM) / Dim Wgt (UOM):

Pieces

1.7 kg

1

Name (In Capital Letters)

Signature

Date (DD.MM.YYYY)



WAYBILL 82 4331 8823

License Plates of pieces in shipment

JD01460009811190240



17 May 2022

Dear Customer,

This is a proof of delivery / statement of final status for the shipment with waybill number 8243318823.

Thank you for choosing DHL Express.

www.dhl.com

Your shipment 8243318823 was delivered on 09 May 2022 at 15.47

Signed	DAVID LOJA	Destination Service Area	GATWICK UNITED KINGDOM
		Shipment Status	Delivered
		Piece ID(s)	JD014600009811190240

Additional Shipment Details

Service	EXPRESS WORLDWIDE doc	Origin Service Area	SYDNEY AUSTRALIA
Picked Up	04 May 2022 at 14.36	Shipper Reference	1066185, CMC38650 8243318823AU20220504032125233

Kate Cockburn

From: Kate Cockburn
Sent: Tuesday 17 May 2022 03:06 PM
To: ehill@alvarezandmarsal.com
Cc: Caitlin Murray; jnoon@alvarezandmarsal.com
Subject: RE: Westpac Banking Corporation & Anor (Applicants) v Iugis (UK) Limited & Ors (Respondents) - Federal Court of Australia Proceedings NSD616 of 2021 (Proceedings) [ME-ME.FID6264995]
Attachments: 7 December Orders - P_NSD616_2021_1878006.pdf; Second Further Amended Statement of Claim.pdf; Fourth Further Amended Originating Application.pdf; 10 March Orders - P_NSD616_2021_1919725.pdf

Dear Ms Turner Hill

Thank you for your email. As per my below email, we represent Westpac Banking Corporation and Westpac New Zealand Limited in their Australian proceedings against Iugis (UK) Limited (among other respondents) in relation to funds our clients were defrauded of.

As per order 2.a of the **attached** orders of the Federal Court of Australia dated 7 December 2021 (**Orders**), our clients were granted leave to serve their fourth further amended originating application (**Originating Application**) and their second further amended statement of claim (**Statement of Claim**) (together, the **Pleadings**) on Iugis UK. We have **attached** sealed copies of the Pleadings. In accordance with order 2.e of the Orders, we sent the Pleadings to Iugis UK at 64 New Cavendish Street, London, United Kingdom, W1G 8TB. As the address for Iugis UK has been updated on the company page on gov.uk since the orders were made, we have also sent the Pleadings to the updated address (Suite 3, Regency House, 91 Western Road, Brighton BN1 2NW).

As per paragraph 2410 of the Statement of Claim, our clients plead that Iugis UK holds at least \$6.226 million on trust for them, which amounts were paid to Iugis UK from funds our clients were defrauded pursuant to the scheme outlined in paragraphs 55 to 58 of the Statement of Claim. Accordingly, our clients require that any assets held by Iugis UK (to the extent there are any) are preserved noting our trust claims.

As per order 6.a of the **attached** orders of the Federal Court of Australia dated 10 March 2022, any entity in external administration is excused from filing a defence.

Kind regards

Kate

 Kate Cockburn
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From: Turner-Hill, Emma <ehill@alvarezandmarsal.com>
Sent: Wednesday 4 May 2022 02:08 AM
To: Kate Cockburn <Kate.Cockburn@minterellison.com>
Cc: Caitlin Murray <Caitlin.Murray@minterellison.com>; Noon, John <jnoon@alvarezandmarsal.com>
Subject: RE: Westpac Banking Corporation & Anor (Applicants) v Iugis (UK) Limited & Ors (Respondents) - Federal Court of Australia Proceedings NSD616 of 2021 (Proceedings) [ME-ME.FID6264995]

Hi Kate,

Iugis (UK) Limited in Liquidation (the "Company")

Joint Liquidators: John Noon and Rob Croxen

Thank you for your email.

Accordingly, we are writing to confirm that a winding up order was made against the Company on 30 November 2021 and John Noon and Rob Croxen were appointed as Joint Liquidators of the Company with effect from 05 January 2022.

If you require any further information, please let me know.

Kind regards
Emma

Emma Turner-Hill

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From: Kate Cockburn [<mailto:Kate.Cockburn@minterellison.com>]

Sent: 29 April 2022 07:31

To: INS-IUGUKL <INS-IUGUKL@alvarezandmarsal.com>

Cc: Caitlin Murray <Caitlin.Murray@minterellison.com>

Subject: Westpac Banking Corporation & Anor (Applicants) v Iugis (UK) Limited & Ors (Respondents) - Federal Court of Australia Proceedings NSD616 of 2021 (Proceedings) [ME-ME.FID6264995]

[EXTERNAL EMAIL]

To whom it may concern

Westpac Banking Corporation & Anor (Applicants) v Iugis (UK) Limited & Ors (Respondents) - Federal Court of Australia Proceedings NSD616 of 2021 (Proceedings)

We refer to the Proceedings (in which Iugis (UK) Limited (**Iugis (UK)**) is a respondent) and advise that we represent the Applicants. We understand that John Noon and Robert Croxen have been appointed as liquidators of Iugis (UK). Please reply confirming that this is the case so that we may provide some further information on the Proceedings, including in relation to the status of service of the Court documents on Iugis (UK).

Kind regards

Kate

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Lawyer

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